

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

CITY OF BOSTON)

and)

SPRINT NEXTEL CORPORATION)

Relating to Rebanding Issues in the
800 MHz Band)

PS Docket No. 07-69

Mediation No. TAM-11155

FILED/ACCEPTED

OCT - 3 2007

Federal Communications Commission
Office of the Secretary

To: Office of the Secretary
Attention: Chief Administrative Law Judge

JOINT REQUEST FOR TERMINATION OF PROCEEDING

Nextel Communications, Inc. ("Nextel") and the City of Boston ("Boston"), by their respective attorneys, hereby submit this Joint Request for Termination of Proceeding in the above-captioned matter. The parties have reached agreement on all outstanding disputed issues which were to have been the subjects at hearing in this matter. Thus, there is no remaining dispute to be resolved through a hearing before the presiding officer.

In accordance with the Commission's 800 MHz rebanding orders, the parties will reflect their agreement in a Frequency Reconfiguration Agreement ("FRA") that will be submitted to the 800 MHz Transition Administrator for its review and approval.¹ If the presiding officer

¹ See *Improving Public Safety Communications in the 800 MHz Band*, Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, 19 FCC Rcd 14969 (2004) as amended by *Erratum*, 19 FCC Rcd 19651 (2004) and *Erratum*, 19 FCC Rcd 21818 (2004) *aff'd sub nom. Mobile Relay Associates et al. v. FCC et al.*, 457 F.3d 1 (D.C. Cir. 2006); *Improving Public Safety Communications in the 800 MHz Band*, Supplemental Order and Order

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wishes to inspect the FRA prior to ruling on the present Joint Request, the parties will submit the FRA for *in camera* inspection.


Pending the presiding officer's ruling on this Joint Request, the parties request suspension of all procedural dates in this proceeding. Additionally, pending the presiding officer's ruling on this Joint Request, Nextel hereby withdraws all notices of depositions it has submitted in this proceeding.

For the foregoing reasons, Nextel and Boston respectfully request that the presiding officer issue an order terminating the proceeding in this matter.

on Reconsideration, 19 FCC Rcd 25120 (2004); *Improving Public Safety Communications in the 800 MHz Band*, Memorandum Opinion and Order, 20 FCC Rcd 16015 (2005); *Improving Public Safety Communications in the 800 MHz Band*, Second Memorandum Opinion and Order, 22 FCC Rcd 10467 (2007); *Improving Public Safety Communications in the 800 MHz Band*, Third Memorandum Opinion and Order, WT Docket No. 02-55, FCC 07-167 (Sept. 12, 2007).

Respectfully Submitted,

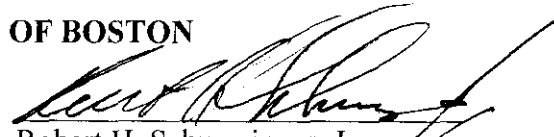
NEXTEL COMMUNICATIONS, INC.

By: 
Laura H. Phillips
Howard M. Liberman
Patrick R. McFadden
Drinker Biddle & Reath LLP
1500 K Street, N.W., Suite 1100
Washington, DC 20005-1209
Laura.Phillips@dbr.com
Howard.Liberman@dbr.com
Patrick.McFadden@dbr.com
202-842-8800
202-842-8465/66 (fax)

Its Attorneys

and

CITY OF BOSTON

By: 
Robert H. Schwaninger, Jr.
Schwaninger & Associates, P.C.
1331 H. Street, N.W., Suite 500
Washington, DC 20005
rschwaninger@sa-lawyers.net
(202) 347-8580

Its Attorney

October 3, 2007

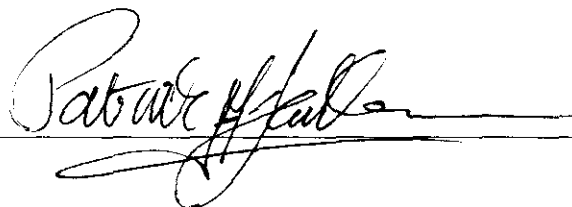
CERTIFICATE OF SERVICE

I, Patrick R. McFadden, hereby certify that on this 3rd day of October, 2007, a true copy of the foregoing "Joint Request for Termination of Proceeding" was served via first class, postage paid United States Mail upon the following:

Gary Schonman, Special Counsel
Enforcement Bureau, I&H Division
Federal Communications Commission
445 12th St., SW., Room 4C237
Washington, D.C. 20554

And via facsimile to:

Chief Administrative Law Judge Richard L. Sippel
Office of Administrative Law Judges
Federal Communications Commission
445 12th St., SW.
Washington, D.C. 20554
(202) 418-0195

A handwritten signature in black ink, reading "Patrick R. McFadden", is written over a horizontal line. The signature is stylized with a large initial 'P' and a long, sweeping underline.